Approved For Release 2010/07/26 : CIA-RDP90-00494R001100710095-4

Judge Takes 2 Rewald Attorneys to Task

By Charles Memminger
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U.S. Judge Harold Fong this morning ordered two of Ronald Rewald's attorneys to explain why they should not be held in contempt for allegedly engaging in unethical conduct during the trial.

The order stems from an incident yesterday in which Federal Public Defender Michael Levine obtained an example of a CIA agent's handwriting by having the man sign the back of a subpoena.

Levine, in reaction to Fong's order, asked that the entire three-man defense team be relieved from the case.

He charged that the defense was "under seige" by both the court and prosecutors.

"We cannot do for Mr. Rewald what needs to be done in this case," Levine said.

Fong denied the request.

This morning's events were triggered by the cross-examination yesterday of John Mason, a career CIA officer who now works on contract with the agency. (See accompanying story.)

Upon leaving court yesterday afternoon, Mason was approached by Levine's investigator and served with a subpoena to testify as a defense witness. Mason was told to sign the subpoena to verify that he had been served.

Earlier in the day, Fong had denied Levine's request that Mason be forced to provide a signature to prove that he is who he claims to be.

Mason testified that he met Rewald in Los Angeles in 1979 in order to set up a CIA cover for another agent. Rewald told his attorneys that the man on the stand was not the same man he had met with in Los Angeles.

Despite Fong's order that Mason did not have to provide a handwriting sample, Levine directed investigator Charles Rose to get Mason to sign the subpoena. Officials from the federal court clerk's office and the U.S. Marshal's service said recipients of subpoenas are never asked to sign their names.

Levine said he took full responsibility for issuing the subpoena but said he did not think Fong's order precluded him from trying to get Mason's signature.

Fong said that a protective order has been issued in this case to protect the lives of agents and that the release of a signature could compromise security.

The judge said he believes that Levine tried "to circumvent the spirit and order of this court."

He ordered all signatures of John Mason, including any photo copies made from the subpoena, returned to the court to be destroyed.

After Fong made his contempt ruling, Levine asked that the entire defense team be relieved of representing Rewald.

He said it is becoming difficult to represent Rewald because the court questions the integrity and ethics of the defense attorneys.

Fong denied the request, however, saying that Rewald is getting the best defense possible considering the security restrictions and the fact that his attorneys are provided by the government.

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